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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,811	06/28/2000	Jian Wang	MS1-452US	6463
22801	7590	03/28/2007		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER OPSASNICK, MICHAEL N	
			ART UNIT	PAPER NUMBER
			2626	
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE	DELIVERY MODE	
3 MONTHS		03/28/2007	ELECTRONIC	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/28/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

Office Action Summary

Application No.

09/606,811

Applicant(s)

WANG ET AL.

Examiner

Michael N. Opsasnick

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 53-85,87 and 88 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 53-85,87 and 88 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 6/28/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. As per the pre-appeal conference review conducted on Jan. 26, 2007, the finality of the Office Action mailed 2/17/2006 is removed and prosecution on the merits has been reopened. In the pre-appeal conference review, as per the recommendation of QAS John Peng, 35 U.S.C. 101 will be applied to claims 53,87, and 88. Below is an office action following these aforementioned guidelines.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 53,87,88 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 53,87, and 88 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As per the most recent interpretation of the Interim Guidelines regarding 35 U.S.C. 101, claim 53 defines, by virtue of claim 87 containing program steps, computer program steps. Claim 87 and 88 is also non-statutory under the most recent interpretation of the Interim Guidelines regarding 35 U.S.C.101 because this claim is toward a computer program, and as claimed, does not define any structural and functional interrelationship between the computer program and other claimed elements of a computer which permit the

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computer program's functionality to be realized (Warmerdam, 33 F.3d at 1361,31 USPQ2d at 1760; Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 53-63,65-70,72-80,82-85,87,88 rejected under 35 U.S.C. 103(a) as being unpatentable over Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276).

As per claims 53,74,87,88, Miike et al (5214583) teaches a language input user interface (as language translator –col. 2 lines 37-47) comprising:

“a line based entry area; an input text displayed with the line based entry area; and an output text.....area” as character key input, edit region, and translated region (Figs. 2+3).

Miike et al (5214583) teaches the display to contain the original text and the translated text, but is not explicitly clear as to the proximity of the two texts, however, Sugimura (5987403) teaches displaying the target and source data together (fig. 13,

subblock S53; figs. 7 and figs. 17 offering different display patterns, with one type shown in figure 6.). Therefore, it would have been obvious to one of ordinary skill in the art of language translation interfaces to modify the teaching of Miike et al (5214583) with displaying the text result in the same area as the input because it would advantageously show the display properties of the original text with the translated text (Sugimura (5987403), col. 1 lines 8-15).

The combination of Miike et al (5214583) in view of Sugimura (5987403) does not explicitly teach displaying the output text that is replacing the input text as the input text is being converted, however, Komatsu et al (5732276) teaches displaying the translation of the input text at certain stages of translation (col. 4 line 64 – col. 5 line 25). Therefore, it would have been obvious to one of ordinary skill in the art of translation to modify the translation system as taught by the combination of Miike et al (5214583) in view of Sugimura (5987403) with displaying the translation as it is being performed because it would advantageously allow for the operator to choose to view the translation at various stages, so that the overall translation is accurate (col. 1 line 58 – col. 2 line 5).

As per claims 54,75, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches the input text comprises phonetic text and the output text is character based (Miike et al (5214583)), as morpheme and grammar translation (Fig. 5, and character output – fig. 7).

As per claims 56,77, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches a horizontal interface (Miike et al (5214583), Fig. 2)

As per claims 57,78, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches replacing the original word with the translated word as the output text →(Miike et al (5214583), Fig. 6b, T9)

As per claim 58, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches the user editing the input, to change the output, based on the original output (Miike et al (5214583), col. 5 lines 51-54)

As per claim 59, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches a conversion process that ignore no-word characters, such as a “/”, which can be construed as punctuations (Miike et al (5214583), col. 5 line 62 – col. 6 line 29)

As per claim 60, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches a no editing mode, which results in the output text is fixed (Miike et al (5214583), abstract)

As per claims 61,79, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches selecting the edit areas for translation (Miike et al (5214583), fig. 4, subblock S4-S10 → wherein the edit area is selected, not the mode)

As per claim 62, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches edit window adjacent to output text (Miike et al (5214583), Fig. 3)

As per claims 63,80, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches line based entry orthogonal to the edit window (Miike et al (5214583), fig. 3)

As per claims 65,82, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches listing a plurality of candidates (Miike et al (5214583), Fig. 3), indicating a layout to show more than one possibility (Miike et al (5214583), Figs. 9 and 10)

As per claim 66, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches listing the candidates

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according to alphabetical ranking (Miike et al (5214583), for e.g., fig. 16, “computer” generates a list of 302,305, and 341, as shown in Fig. 15)

As per claim 67, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches listing the candidates in a display; Examiner takes Official Notice that it is old and notoriously well known in the art of displays to have a scrollable list of items, so that when the list is bigger than the screen itself, the user can access the rest of the list by scrolling.

As per claims 68,83, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches a first candidate list of possibilities with a second candidate list containing the whole set (Miike et al (5214583), for e.g., fig. 16, “computer” generates a list of 302,305, and 341, as shown in Fig. 15).

As per claim 69, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches listing the items from being more complex to less complex (Miike et al (5214583), Fig. 14)

As per claim 70, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches arranging a first candidate

list according to decrease complexity (fig. 14) and a second list that is different (Miike et al (5214583), in this instance, not complexity, but alphabetically—Fig. 15)

As per claims 72,84,87,88, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches the input phonetic and non-phonetic text to be displayed with the output text (as morphological analysis of the input, which is not limited to characters only (Miike et al (5214583), Fig. 9, col. 6 lines 5-15 -- kanja and katakana))

As per claims 73,85, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) teaches machine translator (Miike et al (5214583), col. 3 lines 33-43).

As per claims 55 and 76, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) does not explicitly teach Chinese Pinyin and Chinese Hanzi as the input/output languages, respectively. However, Miike et al (5214583) teaches any language pair (col. 7 lines 60-85). Therefore, it would have been obvious to one of ordinary skill in the art of language translation to modify the teachings of Miike et al (5214583) to use Chinese Pinyin and Chinese Hanzi as input/output because it is a design choice as suggested by Miike et al (col. 7 lines 60-65).

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6. Claims 64,71,81 rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Miike et al (5214583) in view of Sugimura (5987403) in view of Komatsu et al (5732276) in further view of Beauregard et al (5974413).

As per claims 64,71, and 81, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) does not explicitly teach using an input text hint, however, Beauregard et al (5974413) teaches a feedback of a corrected version of already inputted text (Fig. 14; col. 29 lines 25-45)). Therefore, it would have been obvious to one of ordinary skill in the art of language interfaces to modify the teachings of the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) with a corrected (hinted) version because it would offer the user a quicker alternative to find the match (Beauregard et al (5974413), col. 29, lines 40-42).

As per claim 71, the combination of Miike et al (5214583) in view of Sugimura (5987403) in further view of Komatsu et al (5732276) in further view of Beauregard et al (5974413) further teaches listing a plurality of candidates (Miike et al (5214583), Fig. 3), indicating a layout to show more than one possibility (Miike et al (5214583) Figs. 9 and 10).

Response to Arguments

7. Applicant's arguments filed 8/17/06 have been fully considered but they are not persuasive. As per the argument that Miike and Sugimura is not combinable because "one would

not combine such a reference with a reference that taught an inapposite, countervailing presentation of the input and output text”, examiner argues that both references have the commonality of displaying original and translated information (Miike, Fig. 3, and Sugimura, abstract) and that the motivation to modify the Miike reference according to Sugimura would advantageously display simultaneously the old and new translations (Sugimura, col. 1 lines 8-15; fig. 17).

As per the argument that Sugimura does not teach the target display data and source display data in a continuous string (and points to fig. 13, and also Fig. 6), examiner argues that Sugimura does indeed show different display patterns including continuous text (Fig. 17); also, looking at Fig. 7, a String Number (first column in fig. 7) is associated with 1) the Displayed Character String (Fig. 7, second column) and 2) the Displayed Text in Target Language (Fig. 7, second to last column). In other words, Sugimura teaches a single string association with the source and target language, and the display itself is controlled by the Target Display Data (Fig. 7, last column, which dictates the different display patterns – Fig. 17), but the data is a continuous string. Also see Fig. 16 showing the mix of Target Data and Symbol Position and Display Properties in a single string (Fig. 16, subblock S92).


As per the argument that Komatsu does not show that “the output text replaces the input text from which the output text was converted as each portion of the input text is converted” and that the Komatsu teaches the different stages of the translation are displayable after the completed text buffer include the whole phrase or sentence to be translated, examiner argues that the display is configured to display whatever content there is in the buffer (col. 4 line 64 – col. 5 line 25). Examples of where partial translation occurs in Komatsu are: col. 6 lines 40-44 – showing partial translation; col. 6 lines 61-64 wherein a subrange is designated as translated, then displayed.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno

primary examiner
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